

# EXHIBIT 4

## Denise Lunsford

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**From:** Winn, Sara (USAVAW) <Sara.Winn@usdoj.gov>  
**Sent:** Friday, June 26, 2020 11:51 AM  
**To:** Denise Lunsford ; 'John Hill'; mbloch@kaplanhecker.com; jsiegel@cooley.com; dmills@cooley.com  
**Cc:** Bubar, Daniel (USAVAW); 'Platania, Joseph'; Padmanabhan, Kartic (OGC) (FBI); karen.m.lee@cbp.dhs.gov; Withers, Nancy (USAVAW); Antony, Nina-Alice; Richer, Amber (CIV)  
**Subject:** RE: Sines v. Kessler -- federal documents  
**Attachments:** 783 2020-06-26 Sines Hoppe Order granting Mt Recon.pdf

Counsel.

We have now seen Judge Hoppe's order granting in part the motion for reconsideration filed by Lunsford and Hill. We understand neither Lunsford or Hill are currently compelled to produce any information originating from the federal government. If that is not the case, we ask Lunsford and Hill to please make us aware before making any such disclosure because we take the position our executive privileges are not waived. Criminal defense attorneys are given very limited access to federal information for the sole purpose of representing clients during the prosecution. If federal information is going to be disclosed in this case it must be through the proper channels allowed by the federal *Touhy* regulations, and not through third parties. If the parties proceed to request federal information in Virginia General District Court as contemplated in Judge Hoppe's order, we may have the right to remove it to federal court and assert the United States' interests to protect the information at issue.

We recommend a conference call this afternoon with plaintiff's counsel to discuss a path forward that would not involve third parties unauthorized to disclose federal information. We are available at 3:00 and will circulate a call-in number. Please let us know if that is an inconvenient time and we will work to meet your schedule.

Sara.  
Sara Bugbee Winn

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**From:** Winn, Sara (USAVAW)  
**Sent:** Thursday, June 25, 2020 6:15 PM  
**To:** Denise Lunsford <d@lunsford-law.com>; 'John Hill' <john@poindexterhill.com>; mbloch@kaplanhecker.com; jsiegel@cooley.com; dmills@cooley.com  
**Cc:** Bubar, Daniel (USAVAW) <DBubar@usa.doj.gov>; 'Platania, Joseph' <platania@charlottesville.org>; Padmanabhan, Kartic (OGC) (FBI) <KPADMANABHAN@fbi.gov>; karen.m.lee@cbp.dhs.gov; Withers, Nancy (USAVAW) <NWithers@usa.doj.gov>; Antony, Nina-Alice <antony@charlottesville.org>  
**Subject:** Sines v. Kessler -- federal documents

We understand Judge Hoppe has ordered Ms. Lunsford and Mr. Hill to disclose federally protected information in this case pursuant to the plaintiff's subpoena. We take the position any privileges attached to those documents are not waived, and we are entitled to assert those privileges even if the document is in the hands of a third party.

We ask that no documents be disclosed until we have had a chance to file a motion for a protective order.

Please let me know if discussion would be helpful and we will make ourselves available at your convenience.

Sara Winn.  
Sara Bugbee Winn  
Assistant United States Attorney  
Cell 540-293-2235